

JOE WARDY  
MAYOR



## CITY COUNCIL

SUSAN AUSTIN  
DISTRICT NO. 1

ROBERT A. CUSHING, JR.  
DISTRICT NO. 2

JOSE ALEXANDRO LOZANO  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

VIVIAN ROJAS  
DISTRICT NO. 7

ANTHONY W. COBOS  
DISTRICT NO. 8

### REGULAR COUNCIL MEETING COUNCIL CHAMBERS JUNE 24, 2003 9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Joe Wardy present and presiding and the following Council Members answered roll call: Susan Austin, Robert A. Cushing, Jr. Jose Alexandro Lozano, John Cook, Daniel S. Power, and Vivian Rojas. Late arrival: Paul J. Escobar. Absent: Anthony W. Cobos. Meeting was called to order at 9:08 a.m. and the invocation was given by Police Chaplain Ellen Fenter, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

### MAYOR'S PROCLAMATIONS

1. ***Slider Middle School Destination Imagination World Champions Day***
2. ***Mosquito Awareness Week***
3. ***Conquistador Award – Charles F. McNabb, Chief Administrative Officer***

No action was taken on the following item: Discuss when and how the new amendments to the Charter of the City of El Paso will be disseminated to the voters and citizens of El Paso. [John Roybal]

Mr. John Roybal, citizen, commented on the upcoming City Charter Amendment election to be held in November, 2003, and noted that the election would cost citizen/voters \$80,000.00. He questioned when and how the proposed City Charter Amendments would be presented to the public. He suggested placing the proposed City Charter Amendments on a future City Council agenda for comment and discussion by the public. He requested that the proposed City Charter Amendments be published in the newspaper.

Mayor Joe Wardy responded that public meetings would be held to inform the public on the proposed City Charter Amendments.

Representative Austin suggested Council Members convene a Special City Council Meeting to allow comment/discussion from the public regarding the proposed City Charter Amendments prior to the Charter Amendment election.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to delete the following item:

Unfair work ethics at Sun Metro. Not given fair chance. Sun Metro has covered up facts. Lies and discrepancies are in my file. City has not dealt with these issues and continues to ignore them. [Vicki Magness]



\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council hereby establishes Just Compensation and approves an offer of Just Compensation as follows for the following property which is proposed to be acquired for the San Juan Parking Lot Acquisition Project under the Twenty-seventh Year (2001-2002) Community Development Program:

Parcel 2:        Lots 25 & 26, 8 HUGHES Subdivision of BLOCK 2 ALAMEDA ACRES, according to the plat thereof on file in Volume 13, Page 16, Real Property Records of EL PASO County, Texas  
Value: \$13,500.00

And that the Mayor be authorized to sign a Contract of Sale in the above amount with the respective property owner.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Lessor's Approval of Assignment of the La Placita Lease Agreement dated December 17, 2002, between the City of El Paso ("Lessor"), The El Paso Chile Co. ("Lessee"), and United Gourmet, L.P. ("Assignee") covering the area in the Airport Terminal Building known as #AW103 as more fully described in the Lease.

Representative Cushing questioned why the City of El Paso had not received rent from original lessor.

Mr. Patrick Abeln, Director of Aviation, provided background information pertaining to this particular space leased at the El Paso International Airport.

Ms. Sylvia Borunda-Firth, Assistant City Attorney, explained the legalities of the Lessor's Approval of Assignment and the difference between an assignment and a sublease.

Motion made by Representative Cushing, seconded by Representative Cook and unanimously carried to approve the above Resolution.

Representative Power was not present for the vote.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the Fuel Farm Site Agreement between the City of El Paso and Superior Aviation Fuel Enterprises, Inc. to construct and operate a fuel site on approximately 71,429 square feet of land adjacent to the Airport's new Air Cargo Facility located at 301 George Perry Blvd., El Paso, Texas.

Representative Rojas questioned why the Fuel Farm Site Agreement was for 30 years.

Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried to approve the above Resolution.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

**\*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution placing a condemnation lien on the following property (legal description on file with the City Clerk) and in the following amount for work performed by the City pursuant to Section 18.52.040 and 18.52.080 (Unsafe Structures and Conditions) of the El Paso Municipal Code:**

**\*RESOLUTION**

That the Mayor be authorized to sign a grant application including all understandings and assurances contained therein, and apply for, accept, reject, alter or terminate the grant from the Office of the Governor, Criminal Justice Division for a Violence Against Women Act (VAWA) grant in the amount of \$75,072.00 to pay for personnel and related costs to continue the Domestic Abuse Response Team of the El Paso Police Department. Matching funds required in the amount of \$62,899.00. The Grant Officials will be as named within the application.

**Motion made, seconded and unanimously carried to move to the Regular Agenda the following:**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

REGULAR COUNCIL MEETING – JUNE 24, 2003

Ms. Sylvia Borunda-Firth, Assistant City Attorney, provided explanation and noted that Council Members would delegate authority to Ms. Patricia Adaauto, Deputy CAO for Building and Planning Services, pertaining to administrative functions/matters regarding to the Plaza Theatre restoration project, not to include financial matters.

Motion made by Representative Cook, seconded by Power and unanimously carried to approve the above Resolution.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Seventeen Thousand And No/100ths Dollars (\$17,000.00 - \$8,500 loan/\$8,500 grant) against the following described real property:

Lot 11, 12, and 13, Block 107, Morningside Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 3811 Pierce, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Eight Thousand Two Hundred Fifty And No/100ths Dollars (\$8,250.00 - \$7,595 loan/\$655 grant) against the following described real property:

Lots 28 and 29, Block 58, Morningside Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 3906 Polk, El Paso, Texas 79930.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Nineteen Thousand Nine Hundred And No/100ths Dollars (\$19,900.00 - \$13,025 loan/\$950 loan/\$5065 loan/\$860 grant) against the following described real property:

East 3 feet of Lot 30, all of Lots 31 and 32, Block 14, Sunset Heights Addition, an Addition to the City of El Paso, El Paso County, Texas; also known and numbered as 211 W. Nevada, El Paso, Texas 79902.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand Seven Hundred Fifty And No/100ths Dollars (\$6,750.00 - \$6,010 loan/\$740 grant) against the following described real property:

Lot 107, Block 6, Riverside Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 12, Page 58, Plat Records of El Paso County, Texas; also known and numbered as 652 Dolan, El Paso, Texas 79905.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand One Hundred And No/100ths Dollars (\$6,100.00 - \$2,000 loan/\$4,100 grant) against the following described real property:

Lot 19, Block E, Thomas Manor Unit Five, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 21, Page 55, Plat Records of El Paso County, Texas; also known and numbered as 413 Cullen, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Nine Thousand Two Hundred Fifty And No/100ths Dollars (\$9,250.00 - \$8,690 loan/\$560 grant) against the following described real property:

Lot 21, Block F, Thomas Manor Unit Six, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 55, Page 257, Plat Records of El Paso County, Texas; also known and numbered as 401 Bernadine, El Paso, Texas 79915.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor, on behalf of the City and the City Clerk, be authorized to sign a Release of Lien whereby the City releases its lien in the amount of Six Thousand Nine Hundred Eighty And No/100ths Dollars (\$6,980.00 - \$6,580 loan/\$400 grant) against the following described real property:

Lot 24, Trice Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on file in Book 3, Page 11, Plat Records of El Paso County, Texas; also known and numbered as 217 Trice Circle, El Paso, Texas 79907.

for consideration paid to the City in full satisfaction of that certain promissory note executed by the owner of the above-described real property and payable to the order of the City.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Reaffirmation Agreement between the City of El Paso and Hector and Maria L. Ruiz, which reaffirms the housing rehabilitation loan to the City for the property located at 123 Ceres Place, El Paso, Texas.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and approve "Health Care and Other Facilities" grant application from the Health Resources and Services Administration. Funding will be utilized for a Phase II Construction and Renovation project for clinical space at 5115 El Paso Drive, on behalf of the EL PASO CITY-COUNTY HEALTH AND ENVIRONMENTAL DISTRICT, for the amount of \$1,081,922.00. (No Local Match Required)

Representative Rojas questioned the timing of El Paso City-County Environmental District grant application.

Mr. Edward Muñoz, El Paso City-County Health and Environmental District employee, provided an explanation.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Amendment Number 1 to El Paso Border Air Monitoring Agreement with the Texas Commission on Environmental Quality (TCEQ) for Contract #582-3-55815 and all related documentation to insure compliance through FY 2003 on behalf of the El Paso City-County Health and Environmental District. This amendment will change the termination date on this contract and adjust the budget categories. There is no cost to the City- County Health and Environmental District related to this air monitoring agreement.

Representative Rojas questioned the budget categories.

Mr. Jesus Reynoso, El Paso City-County Health and Environmental District employee, provided appropriate responses.

Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to approve the above Resolution.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Traffic Signal Agreement between the CITY OF EL PASO and the SOCORRO INDEPENDENT SCHOOL DISTRICT for the installation of two (2) school flasher signals near the Sierra Vista Elementary and Walter E. Clark Middle Schools, located on Vista Del Sol Drive. Total cost to the City is THIRTEEN THOUSAND SEVEN HUNDRED TWENTY AND 00/100 DOLLARS (\$13,720.00).

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Fred Morales covering the exhibit of "Pictures, Postcards, etc." at the Irving Schwartz Branch of the El Paso Public Library System for the period of July 1-31, 2003. This exhibition is at no cost to the City.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Hugo Otamendi Rodriguez covering the exhibit of "Planos y Geometrias" at the Clardy Fox Branch of the El Paso Public Library System for the period of August 23 through October 22, 2003. This exhibition is at no cost to the City.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Library Director be authorized to sign an Exhibit Contract with Marcos Casiano covering a photo exhibit entitled "Two Nations, Many Faces" at the Main Library of the El Paso Public Library System for the period of July 13 through August 29, 2003. This exhibition is at no cost to the City.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a TSLAC grant application and related documents for a Technical Assistance Negotiated Grant (TANG) between the Texas State Library Archives Commission and the City of El Paso for the term of September 1, 2003, through August 31, 2004. The total amount of the Grant Application is \$75,665. The funds will be used for automation/technology assistance to enable the El Paso Public Library and member libraries of the Texas Trans-Pecos Library System to use and maintain information resource technology. No City matching funds are required.



\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Assurance of Compliance and any additional necessary documents related to the application to National Library of Medicine (NLM), Information Systems for a grant in the amount of \$193,923.00 for the El Paso Public Library on behalf of the Border Health Information and Education Network (BIEN) originally approved by City Council on May 27, 2003, and that the Mayor be authorized to sign any required contracts and related documents to accept funding of that amount or any lesser amount approved by the NLM. This grant will be used to provide health information for consumers and health professionals in El Paso and southern New Mexico, expanding the current BIEN program. No matching funds are required by the granting agency.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

**MEMORIAL PARK SENIOR CENTER**

**DEPARTMENT ID: 51510404, ACCOUNT 502215**

- |    |              |   |
|----|--------------|---|
| 1. | CONTRACTOR:  | Javier Garcia, Painting Techniques Instructor |
|    | DATES:       | July 24, 2003, thru August 28, 2003           |
|    | RATE PER CL: | \$18.00                                       |
|    | MAXIMUM AMT: | \$216.00                                      |
|    | CONTRACT:    | 2002/2003-142                                 |

**SAN JUAN RECREATION CENTER**

**DEPARTMENT ID: 51510123, ACCOUNT 502214**

- |    |              |                                     |
|----|--------------|-------------------------------------|
| 2. | CONTRACTOR:  | Jose Luis Guillen, Yoga Instruction |
|    | DATES:       | June 25, 2003, thru August 31, 2003 |
|    | RATE PER CL: | \$14.32                             |
|    | MAXIMUM AMT: | \$243.44                            |
|    | CONTRACT:    | 2002/2003-143                       |

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

**ARMIJO RECREATION CENTER**

**DEPARTMENT ID: 51510065, ACCOUNT 502214**

1. CONTRACTOR: Sarah Piña, Dance Instructor Fiesta Caliente  
DATES: June 26, 2003, thru August 8, 2003  
RATE PER CL: \$6.00  
MAXIMUM AMT: \$1,080.00  
CONTRACT: 2002/2003-144
2. CONTRACTOR: Amanda Morales, Dance Instructor Fiesta Caliente  
DATES: June 26, 2003, thru August 8, 2003  
RATE PER CL: \$6.00  
MAXIMUM AMT: \$900.00  
CONTRACT: 2002/2003-145

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

**ACOSTA SPORTS CENTER**

**DEPARTMENT ID: 51010215, ACCOUNT 502215**

1. CONTRACTOR: Gerardo Garcia, Field Supervisor Slowpitch  
DATES: June 26, 2003, thru August 31, 2003  
RATE PER CL: \$10.75  
MAXIMUM AMT: \$1,075.00  
CONTRACT: 2002/2003-146

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in Fiscal Year 2002/2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

**ACOSTA SPORTS CENTER**

**DEPARTMENT ID: 51010215, ACCOUNT 502215**

1. CONTRACTOR: Jose Aguinaga, Girls Fastpitch Softball  
DATES: June 25, 2003, thru August 31, 2003  
RATE PER CL: \$13.00  
MAXIMUM AMT: \$650.00  
CONTRACT: 2002/2003-147
2. CONTRACTOR: Jose Aguinaga, Field Supervisor Slowpitch  
DATES: June 25, 2003, thru August 31, 2003  
RATE PER CL: \$10.75  
MAXIMUM AMT: \$1,075.00  
CONTRACT: 2002/2003-148

**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employment Contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

**NORTHEAST RECREATION CENTER**

**DEPARTMENT ID: 51510107, ACCOUNT 501011**

1.     **CONTRACTOR:**     Ginger Westrick, Daycare Instructor Aide, Step 2 (as needed)  
       **DATES:**         June 25, 2003, thru August 31, 2003  
       **RATE PER HR:**     \$5.60  
       **CONTRACT NO:**   2002/2003-301
  
2.     **CONTRACTOR:**     Martha Reid, Daycare Instructor Aide, Step 2 (as needed)  
       **DATES:**         June 25, 2003, thru August 31, 2003  
       **RATE PER HR:**     \$5.60  
       **CONTRACT NO:**   2002/2003-302

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**\*RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Employment Contracts on behalf of the Parks & Recreation Department. Funding for these contracts is in fiscal year 2002-2003 appropriations to be approved by the City Council and the City's Civil Service Commission.

**AQUATICS**

**DEPARTMENT ID: 51010281, ACCOUNT 501011**

1.     **CONTRACTOR:**     Graciela Casas, Swim Instructor, Step 1  
       **DATES:**         June 25, 2003 thru September 30, 2003  
       **RATE PER HR:**     \$5.35  
       **CONTRACT NO:**   2002/2003-303
  
2.     **CONTRACTOR:**     Sabrina K. Cox, Swim Instructor Coordinator, Step 2  
       **DATES:**         June 25, 2003 thru September 30, 2003  
       **RATE PER HR:**     \$6.85  
       **CONTRACT NO:**   2002/2003-304
  
3.     **CONTRACTOR:**     Gladiola A. Gonzalez, Swim Instructor Coordinator, Step 1  
       **DATES:**         June 25, 2003 thru September 30, 2003  
       **RATE PER HR:**     \$6.50  
       **CONTRACT NO:**   2002/2003-305
  
4.     **CONTRACTOR:**     John Lechuga, Pool Attendant, Step 3  
       **DATES:**         June 25, 2003 thru September 30, 2003  
       **RATE PER HR:**     \$5.80  
       **CONTRACT NO:**   2002/2003-306

5. CONTRACTOR: Carlos Rosales, Lifeguard I, Step 1  
 DATES: June 25, 2003 thru September 30, 2003  
 RATE PER HR: \$6.00  
 CONTRACT NO: 2002/2003-307
6. CONTRACTOR: Alejandro Valadez, Pool Attendant, Step 1  
 DATES: June 25, 2003 – September 30, 2003  
 RATE PER HR: \$5.40  
 CONTRACT NO: 2002/2003-308

.....  
 Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

Resolution placing a lien on the following properties (legal description on file with the City Clerk) and in the following amounts for work performed by the City pursuant to Chapter 9.04 (Solid Waste Management of El Paso Municipal Code)

2507 Elm Street	\$142.89	MOISES SALAZAR & 7
2500 Block of Lebanon	\$103.92	JUAN A. FLORES JR.
3505 E. San Antonio Ave	\$437.87	ANA C. CARREON
5916 Macias Street	\$166.71	ANSELMO MARTINEZ
11082 Golden Pond Drive	\$149.39	MARK T. & BRANDY R. GUY
11506 James Grant Drive	\$215.42	ROSIE CASTILLO
421 Kyle Street	\$230.57	LEOPOLDO & MARIA MARQUEZ
1413 E. Nevada Ave	\$149.93	CRISTINA R. GAYTAN
1601 N. Stanton Street	\$242.48	DON SYVERTSEN

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the above Resolutions.

## R E S O L U T I O N

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **SALAZAR, MOISES & 7** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

2507 Elm Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot S 43 FT OF 17 TO 20 (4300 SQ FT), Block 120, Highland Park Subdivision, Parcel H453-999-1200-4300,

to be ONE HUNDRED FORTY TWO AND 89/100 DOLLARS (\$142.89) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Third day of February, 2003 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED FORTY TWO AND 89/100 DOLLARS (\$142.89) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

### **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **FLORES, JUAN A. JR.** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

2500 Block of Lebannon Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 11 TO 13, Block 94, Highland Park Subdivision, Parcel H453-999-0940-3600,

to be ONE HUNDRED THREE AND 92/100 DOLLARS (\$103.92) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Eighth day of November, 2002, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED THREE AND 92/100 DOLLARS (\$103.92) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

## RESOLUTION

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **CARREON, ANA C.** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

3505 E. San Antonio Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot 3 to 6, Block G, Payne Subdivision, Parcel P652-999-000G-1700,

to be FOUR HUNDRED THIRTY SEVEN AND 87/100 DOLLARS (\$437.87) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Ninth day of October, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of FOUR HUNDRED THIRTY SEVEN AND 87/100 DOLLARS (\$437.87) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

## RESOLUTION

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **MARTINEZ, ANSELMO** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

5916 Macias Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 2, Block C, Deal Subdivision, Parcel D317-999-000C-1700,

to be ONE HUNDRED SIXTY SIX AND 71/100 DOLLARS (\$166.71) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Sixth day of November, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED SIXTY SIX AND 71/100 DOLLARS (\$166.71) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

### **RESOLUTION**

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **GUY, MARK T. & BRANDY R.** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

11082 Golden Pond Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 18 (5300.00 SQ FT), Block 10, Northtowne Village #2 Subdivision, Parcel N490-999-0100-1800,

to be ONE HUNDRED FORTY NINE AND 39/100 DOLLARS (\$149.39) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fourth day of October, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED FORTY NINE AND 39/100 DOLLARS (\$149.39) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

## RESOLUTION

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **CASTILLO, ROSIE** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

11506 James Grant Drive, City of El Paso, El Paso County, Texas, being more particularly described as Lot 55 (7875 SQ FT), Block 246-A, Vista Del Sol #89 Subdivision, Parcel V893-999-246A-2750,

to be TWO HUNDRED FIFTEEN AND 42/100 DOLLARS (\$215.42) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Eighth day of November, 2002, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of TWO HUNDRED FIFTEEN AND 42/100 DOLLARS (\$215.42) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

## RESOLUTION

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **MARQUEZ, LEOPOLDO & MARIA** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**



1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

421 Kyle Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 3, Block 2, Kyle Subdivision, Parcel K982-999-0020-1300,

to be TWO HUNDRED THIRTY AND 57/100 DOLLARS (\$230.57) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Tenth day of October, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of TWO HUNDRED THIRTY AND 57/100 DOLLARS (\$230.57) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

## **R E S O L U T I O N**

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **GAYTAN, CRISTINA R.** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1413 E. Nevada Avenue, City of El Paso, El Paso County, Texas, being more particularly described as Lot E 13 FT OF 15 & 2 24.5 FT OF 16, Block 98, Franklin Heights Subdivision, Parcel F607-999-0980-6400,

to be ONE HUNDRED FORTY NINE AND 93/100 DOLLARS (\$149.93) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fifteenth day of October, 2002 approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of ONE HUNDRED FORTY NINE AND 93/100 DOLLARS (\$149.93) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.
4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

## R E S O L U T I O N

**WHEREAS**, in accordance with Section 9.04.380, entitled Abatement, of Chapter 9.04, Solid Waste Management, of the El Paso City Code, after providing due notices to the owner: **SYVERTSEN, DON** of the hereinafter described property that the owner's property constituted a public nuisance due to the accumulation of trash, vegetation and weeds or other objectionable, unsightly or unsanitary matter in violation of Chapter 9.04 of the El Paso City Code, and the owner, having failed to comply with due notices, the Department of Solid Waste Management proceeded to clean and dispose of the trash, vegetation, weeds or other rubbish; and

**WHEREAS**, the Director of the Department of Solid Waste Management has reported the cost of doing such work in the amount hereinafter set forth;

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

1. The City Council determines the actual cost of removing the accumulated trash, vegetation and weeds or other rubbish located on said property, being:

1601 Stanton Street, City of El Paso, El Paso County, Texas, being more particularly described as Lot 1 TO 5 (15860 SQ FT), Block 57, Alexander Subdivision, Parcel A462-999-0570-0100,

to be TWO HUNDRED FORTY TWO AND 48/100 DOLLARS (\$242.48) as reported by the Director of the Department of Solid Waste Management. The City Council finds that the work was performed on the Fifteen day of October, 2002, approves the costs.

2. The City Council, in accordance with Section 9.04.380 of the El Paso City Code, declares the above total amount of TWO HUNDRED FORTY TWO AND 48/100 DOLLARS (\$242.48) to be a lien on the above described property, said amount being due and payable within thirty (30) days from date of Council approval, and thereafter bearing ten percent (10%) interest per annum.

3. The City Clerk is directed to give notice of this Lien by filing a copy of this Resolution for record with the County Clerk.

4. All records of the City Clerk's Office relating to the proceeding against the above-described property are made a part of this Resolution by reference.

.....  
 \*Motion made, seconded and unanimously carried to postpone one (1) week the Notice to set a public hearing to be held on July 22<sup>nd</sup>, 2003 to determine if the property located at 5915 Cleveland Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of record as of April 25<sup>th</sup>, 2003, Francisco Lerma, Sr., 5915 Cleveland Avenue, El Paso, Texas 79905, has been notified of the violations at this property. Delinquent taxes in the amount of \$30,435.29.  
 .....

### \*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 22<sup>nd</sup> day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3210 Shetland Road, in El Paso, Texas, which property is more particularly described as:

Lot: 6, Block 36, Scotsdale Unit Three, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 9, Page 64, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Cesar Fernandez Villalvazo & Yolanda Norma Fernandez, 3210 Shetland Road, El Paso, Texas 79925-4324, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and; assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- II) the Owners may be confined in jail as permitted by state law and;
- III) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
\*NOTICE OF PUBLIC HEARING

To All Interested Parties:

You are hereby notified that at 9:00 a.m. on the 22<sup>nd</sup> day of July, 2003 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 3318 Alameda Avenue, in El Paso, Texas, which property is more particularly described as:

Lots: The West 15 feet of Lot 23 and the East 17 feet of Lot 24, Block 12, Supplemental Map No. 1 of East El Paso, an Addition to the City of El Paso, El Paso County, Texas, according to the map thereof on File in Book 1, Page 51, Plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Josie Galindo, 5850 Ridge Drive, Santa Teresa, NM 88008, Helen Knight, 5850 Ridge Drive, Santa Teresa, NM 88008, Rebecca Valles Ayon, 4701 G. T. Powers, El Paso, Texas 79924, Ricardo Valles, 405 Fred Way, Las Cruces, NM 87124, Tito Valles, Jr., 927 Versailles Drive, El Paso, Texas 79907, Oscar Valles, Jr., 8796 Kim Lane, Riverside (Pedley), CA 92509, Manuel Valles, 22042 Caminito Vino, Laguna Hills, CA 92653, Hortensia Valles Moreno, 1512 Cederdale Place, El Paso, Texas 79925, Dolores Cook 702 Perry Street, Davenport, Indiana 52801, Rosa Avalos, 10453 Chinaberry Drive, El Paso, Texas 79925, Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Jessie Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Anna Maria Mendoza, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Ruben Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Bobbie Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Daniel Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, Johnny Joe Valles, C/O Gloria Castro, 8843 Creeland, Pico Rivera, CA 90660, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the building into compliance with Titles 17 and 18 of the code as mandated by Section 18.52.040 of the Municipal Code, and to specify the time it will take to reasonably perform the work.

At the hearing, the owners, lien holders, mortgagees, or any other person having an interest in the property must present to City Council any evidence showing that the structure or part thereof is safe.

All documents such as building plans, specifications, drawings, reports from design professionals and any other required documents must be presented to City Council at this hearing.

The time periods, which govern the completion of work ordered by Council, are outlined in Subsection 18.52.040 (3) pursuant to State law.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the real property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to the Housing Compliance Office of the Building Permits and Inspections, 5<sup>th</sup> floor, City Hall, no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

.....  
Motion made, seconded and unanimously carried to move to the Regular Agenda the following:

REINSTATEMENT(S): Request for name(s) to be placed on Reinstatement List in accordance with Article VI, Section 6.10.10, of the Civil Service Charter Provisions:

**11A.** Garza, Laura M. – Neighborhood Relations Coordinator

**11B.** Huerta, Jr., Alfredo, Firefighter

**11C.** Rohler, Dottie – Clerk Typist II

Representative Rojas questioned why the individuals had left the City's employ.

Representative Cushing explained that discussions pertaining to individuals requesting to be reinstated by the City were heard at the Civil Service Commission meetings.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve the request for the following names to be placed on the Reinstatement list in accordance with Article VI, Section 6.10-10, of the Civil Service Charter Provisions:

- \*Motion made, seconded and unanimously carried to delete the removal of Carlos Cordova from the Parks and Recreation Advisory Board by Representative Jose Alexandro Lozano.**

\*Motion made, seconded and unanimously carried to appoint Robert L. Bowling, III to the Water Conservation Advisory Board by Representative Jose Alexandro Lozano.

\*Motion made, seconded and unanimously carried to delete the Board appointment of Mitchel Doblado to the Parks and Recreation Advisory Board by Representative Jose Alexandro Lozano.

\*Motion made, seconded and unanimously carried to appoint James M. Erickson to the Flood Damage Prevention Board of Appeals by Representative Robert A. Cushing, Jr.

\*Motion made, seconded and unanimously carried to approve the request to authorize the allocation of Three Thousand Five Hundred Dollars (\$3,500.00) from District IV Discretionary Funds to City of El Paso Parks Department for a sidewalk construction at Colonia Verde Park.

\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for three additional years, from August 16, 2003 to August 15, 2006 pursuant to the provisions of Contract #2000-201-C1 with Crawford Auto Plaza, El Paso, Texas for GMC/Chevrolet Proprietary Auto Parts & Service.

Option No.: One [Of One]  
Amount of Award: \$80,000.00 (Annual Estimate)  
Account Nos.: 37370510-503121  
Funding Source: Fleet Service Internal Service Fund  
Department: Fleet Service

\*Motion made, seconded and unanimously carried to authorize the Director of Purchasing to exercise the City's option to extend the term of the agreement for one additional year, from August 16, 2003 to August 15, 2004 pursuant to the provisions of Contract # 2000-201-C2 with Rush Truck Centers, El Paso, Texas for GMC/Chevrolet Proprietary Auto Parts & Service.

Option No.: One [Of One]  
Amount of Award: \$50,000.00 (Annual Estimate)  
Account Nos.: 37370510-503121  
Funding Source: Fleet Service Internal Service Fund  
Department: Fleet Service

**Motion made, seconded and unanimously carried to move to the Regular Agenda the following:**

Request that the Director of Purchasing be authorized to exercise Option B to purchase additional quantities pursuant to the terms of Contract No. 2002-158 for "Swimming Pool Shade Structures", with Shadeports, Inc.

Mr. Ray Gilbert, citizen, commented on purchasing the pool shades with Certificates of Obligation.

Representative Power opined that shading children from the sun was a health and safety issue.

Representative Cook added that the pool shades were listed as a part of the original Quality of Life bond projects.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to authorize the Director of Purchasing to exercise Option B to purchase additional quantities pursuant to the terms of Contract No. 2002-158 for "Swimming Pool Shade Structures", with Shadeports, Inc.

Department(s): Parks and Recreation  
Funds Available: 04102010-27503-P540010CTY-508008  
Funding Source: FY02 Certificates of Obligation, Equipment-City Equipment  
Item(s): 2  
18' x 26' Dome Shade Structure, Installed  
2 each @ \$2,500.00/each  
Award Amount: \$5,000.00

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2003-158R Infrared Activated Data-Encoded Traffic SignalPriority Control System

Award to: Consolidated Traffic Controls. Inc.  
Arlington, TX  
Item(s): 1  
Amount: \$46,960.00

Department: Fire (71150069)  
Funds available: 115069-07734-508027 Project G7128CD0076  
Funding source: Priority Traffic – Construction – Community Development Block Grant Capital  
Projects Renovation  
Total award: \$46,960.00

The Review Committee recommends award as indicated. Consolidated Traffic Controls, Inc. meets the specifications and is the sole proposer of this system

This is a one time purchase with the option to purchase additional units, at the same prices, if the option is exercised within one (1) year.

.....  
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2003-135 Flatbed Contractor Body Trucks.

Mr. Ray Gilbert, citizen, commented on the replacement of a flatbed contractor body truck utilizing Certificates of Obligation.

Representative Austin remarked that the vehicle would be utilized in support of Quality of Life projects.  
Motion made by Representative Cook, seconded by Representative Escobar and carried to award Bid No. 2003-135 Flatbed Contractor Body Trucks

Award to: Border International Trucks, Inc.  
El Paso, Texas  
Item(s): #1, Flatbed Contractor Body Truck,  
Conventional Cab (2 each)

Amount:                   Option #4, LEV Certified Engine (2 each)  
                               \$93,970.00  
                               \$10,600.00     Less Trade-In Allowance  
                               \$83,370.00

Department:           Parks and Recreation  
 Funds available:       508006-27260-04252003-PMB0004130  
 Funding source:       FY03 City Capital Equipment – Certificates of Obligation  
 Total award:           \$83,370.00

The Fleet Services, Parks and Recreation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, to purchase Flatbed Contractor Body Trucks. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within one hundred eighty (180) days from the date of award of the contract. No prompt payment discount is offered.

Representative Lozano voted Nay.

.....  
 Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2003-138 Crack Sealant Material, Hot Applied.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Lozano, seconded by Representative Escobar and unanimously carried to award Bid No. 2003-138 Crack Sealant Material, Hot Applied

Award to:               Deery American Corporation  
                               Grand Junction, CO  
 Item:                    1  
 Amount:                \$18,000.00 (estimated annually)

Department:           Department of Aviation  
 Funds available:       62620003-503121  
 Funding source:       Airport Operating Fund  
 Total award:           \$18,000.00 (estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated to the lowest responsive offer, by definition meeting specifications, from responsible parties.

Vendor offers the City the option of extending the term of the contract for twelve (12) additional months utilizing the same pricing structure, if the option is exercised within one (1) year from the date of award of the contract. Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 A.M., July 1, 2003.

.....  
 Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2003-141 Coal-Tar Emulsion Seal Coat (Airport Grade)

Representative Power questioned the number of respondents to the Bid.



Mr. Byron Johnson, Director of Purchasing, noted that one company responded in a timely manner and explained the details pertaining to the bid. He added that companies bidding from out of town send their documents registered mail, FedEx or a similar mailing company.

Mr. Ruben Lara, citizen, commented that his company was located in Albuquerque, New Mexico, and had not met the required deadline due to the U. S. Postal Service.

Mr. Johnson noted that in rejecting the bids the competitor's prices would be divulged.

Motion made by Representative Power, seconded by Representative Cook and carried to reject all bids for Bid No. 2003-141 Coal-Tar Emulsion Seal Coat (Airport Grade)

Award to: Neyra Industries, Inc.  
Cleburne, Texas  
Item(s): 1A and 1B  
Amount: \$121,000.00 (estimated annually)  
  
Department: Aviation  
Funds available: 62620003-503121  
Funding source: Airport Operating Fund  
Total award: \$121,000.00 (estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the low, responsive and responsible bidder meeting specifications.

This is a two (2) year Contract, for Coal-Tar Emulsion Seal Coat (Airport Grade) for the Department of Aviation, however, other City departments may utilize this Contract, to meet their requirements as the need arises.

Vendor does not offer the City the option of extending the term of the contract. Vendor does not offer a prompt payment discount.

The Contract will officially begin at 12:01 A.M., July 11, 2003.

AYE: Representatives Lozano, Cook, Power, Escobar  
NAY: Representatives Austin, Cushing, Rojas

.....  
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2003-146 Mast Arm Poles

Mr. Ray Gilbert, citizen, questioned the use of the mast arm poles.

Mr. Mr. Daryl Cole, Street Director, responded that the mast arm poles were to be utilized as traffic signal poles.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to award Bid No. 2003-146 Mast Arm Poles

Award to: Reliapole Solutions, Inc.  
Tomball, Texas  
Item(s): All (#1 thru #8)  
Amount: \$74,816.00 (estimated annually)

Department: Street  
Funds available: 31260001-32010288-508027-503203-PPW0303  
Funding source: General Funds-FY03- Certificate of Obligations  
Total award: \$74,816.00 (estimated annually)

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The Vendor offers the City the option to extend the term of the contract at the same unit prices for one (1) or two (2) additional years if the option is exercised within one year from the date of the award.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months.

.....  
\*Motion made, seconded and unanimously carried to delete Bid No. 2003-152 Automated External Defibrillators

Award to: Zoll Medical Corporation  
Burlington, MA  
Item(s): 1 (Quantity 95)  
Amount: \$105,270.45

Department: Police  
Funds available: 508006-07314-21150073-G210414  
\$50,375.00  
American Heart Assoc. Grant Texas AED Placement Program Phase II Grant  
508006-27251-04250203-PMB0003130  
\$50,463.01  
FY02 Certificates of Obligation Equipment - City Equipment  
01153001-PD10422-16501-504420  
\$ 3,324.33  
District One Special Projects Fund 01010006-01101-504420  
\$ 1,108.11  
District Six Special Projects (Discretionary Funds)

Total award: \$105,270.45

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one time) purchase, to purchase Automated External Defibrillators. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within six (6) months and twelve (12) months from the date of award of the contract. No prompt payment discount is offered.

.....  
Motion made, seconded and unanimously carried to move to the Regular Agenda Bid No. 2003-161 Street Name Sign Hardware

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to award Bid No. 2003-161 Street Name Sign Hardware

Award to: Vulcan Signs  
 Foley, AL  
 Item(s): #1, #2, and #3 (All)  
 Amount: \$33,825.00

Department: Street  
 Funds available: 31260001-508005-PPWST03017  
 Funding source: 60608-Sign Replacement, FY 03 Certificate of Obligations  
 Total award: \$33,825.00

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one time) purchase, for Street Name Sign Hardware for the Street Department.

Vendor offers the City the option of purchasing up to 100% of the original contract quantities, at the same unit price, if the option is exercised within Ninety- (90) days from the date of the contract.

.....  
 Motion made, seconded and unanimously carried to move to the Regular Agenda BT2003-681BUILDING AND PLANNING SERVICES

Representative Rojas questioned the budgetary index codes.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, provided explanation.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve budget transfer BT2003-681BUILDING AND PLANNING SERVICES

Building and Planning Services proposes to appropriate \$1,000,000 to fund design of CBD (Central Business District) III street improvements. Funding source is FY03 sale of CO's.

Increase	\$1,000,000	to	31260001/PPWST0300160612/407020	Bond Proc
Increase	\$ 50,000	to	31260001/PPWST0300160612/508022	CityAdminChg
Increase	\$ 200,000	to	31260001/PPWST0300160612/508024	Testing
Increase	\$ 700,000	to	31260001/PPWST0300160612/508050	Design
Increase	\$ 50,000	to	31260001/PPWST0300160612/508051	ProgramMgmt

.....  
 Motion made, seconded and unanimously carried to move to the Regular Agenda BT2003-707 OFFICE OF MANAGEMENT AND BUDGET

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve budget transfer BT2003-707 OFFICE OF MANAGEMENT AND BUDGET  
 To increase estimated revenue due to increase in Collection Agency fees.

Increase	\$900,000	to	99010335/01101/401004	Fees/Delinq
Increase	\$900,000	to	06010022/01101/502201	Billing/Collect

Motion made, seconded and unanimously carried to move to the Regular Agenda BT2003-718 ECONOMIC DEVELOPMENT

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to approve budget transfer BT2003-718 ECONOMIC DEVELOPMENT

Realignment of operating budget to cover utility expenses through end of fiscal year.

Decrease	\$220,197	from	57010301/15707/502115	MgtCnsultSvc
Increase	\$ 58,197	to	57010270/15707/502115	MgtCnsultSvc
Increase	\$144,000	to	57010301/15707/504100	Electricity
Increase	\$ 10,000	to	57010301/15707/504101	Water
Increase	\$ 8,000	to	57010301/15707/504102	Natural Gas

.....  
\*Motion made, seconded and unanimously carried to approve the request of Rotary Club of West El Paso to hold a July 4<sup>th</sup> Parade on Friday, July 4, 2003 from 8:30 a.m. to 12:00 p.m. Route: Begin at Western Hills Methodist Church at 530 Thunderbird, proceed on Thunderbird to Shadow Mountain, left on Shadow Mountain to Mesa, right on Mesa and proceed southwest to Champions Place, turn right on Champions Place, ending in the Coronado High parking lot at 100 Champions. Approximately 1,500 persons, 50+ vehicles, and 50+ animals will take part and 1,500 spectators are anticipated. PERMIT NO. 03-086  
.....

\*Motion made, seconded and unanimously carried to approve the request of El Paso Association for the Performing Arts to hold a run/walk on July 4, 2003 from 7:30 a.m. to 8:15 a.m. Route: Start at the McKelligon Canyon Amphitheater's parking lot, go east .9 miles, turn around, follow road to back of canyon, circle around, come back and finish in the parking lot. Approximately 200 persons will take part and 100 spectators are anticipated. PERMIT NO. 03-092  
.....

\*Motion made, seconded and unanimously carried to approve the request of Rim University Neighborhood Association to hold a 4<sup>th</sup> of July parade from 10:00 a.m. to 1:00 p.m. Route: Start on Rim Road at the intersection of Kirby and Brown, proceeding on Rim Road to Tom Leigh Park. Approximately 100 persons and six vehicles will take part with 25 spectators anticipated. PERMIT NO. 03-094  
.....

\*Motion made, seconded and unanimously carried to approve the request of Simon Olvera to block off 1321-1332 Rancho Grande Dr. on July 3, 2003 from 6:00 p.m. to 12:00 a.m. for a block party. Approximately 60 persons will participate. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT NO. 03-095  
.....

\*Motion made, seconded and unanimously carried to approve the request of Sacred Heart Church to block off S. Oregon between Fourth and Fr. Rahm on June 27, 2003 from 6:00 p.m. to 11:59 p.m. and June 28, 2003 from 9:00 a.m. to 11:00 p.m. for a church patronal feast block party. Approximately 40 persons will take part and 60 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices." PERMIT NO. 03-097  
.....

\*Motion made, seconded and unanimously carried to approve the request of Sacred Heart Church to hold a procession on June 27, 2003 from 6:00 p.m. to 7:15 p.m. Route: Start at 602 S. Oregon St. to Fr. Rahm, turn left on Fr. Rahm to Ochoa, turn right on Ochoa to Seventh St., turn right on Seventh St. to Kansas, turn left on Kansas to Eight St., turn right on Eight St. to S. Oregon St. and finish at 602 S. Oregon. Approximately 100 persons and 2 vehicles will take part. This request includes permission to use amplification (1 small P.A and 1 microphone) PERMIT NO. 03-098  
.....

\*Motion made, seconded and unanimously carried to approve the request of the Iglesia de Cristo to use amplification (3 microphones, 2 speakers, 1 amplifier, 1 piano, and 1 bass) at Album Park on June 28, 2003 and July 26, 2003 from 3:00 p.m. to 7:00 p.m. Approximately 10 persons will take part and 30 to 40 spectators are anticipated. PERMIT NO. 03-100

.....  
Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to postpone one (1) week an Ordinance changing the zoning of a portion of Tract 8B and a portion of Tract 5G, Block 11, UPPER VALLEY SURVEYS, El Paso, El Paso County, Texas (Borderland Road North of Aircraft Road) from R-F (Ranch and Farm) to R-3A (Residential). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Adobe Haciendas Inc. / Representative: Sitework Engineering, LLC; 4120 Rio Bravo Drive Suite 102, El Paso, TX 79902. ZC-03015 **THIS IS AN APPEAL CASE**

Mr. Rudy Valdez, Chief Urban Planner, explained the zoning change request and provided a PowerPoint presentation for Council Members' information.

Ms. Yolanda Giner, attorney representing the applicant, was present and provided answers to Council Members' questions.

Mr. Bert Borsberry, Adobe Haciendas, Inc., commented on the dimensions of lots located in the cul-de-sacs.

Mr. James Scherr, citizen, was present and expressed his concerns regarding the proposed zoning change request.

Mr. Sam Legate, citizen, was present and expressed his concerns regarding the proposed zoning change request.

Mr. Ray Gilbert, citizen, requested Council Members deny the zoning change request.

Ms. Lupe Lowenberg, citizen, was present and expressed her concerns regarding the proposed zoning change request.

Ms. Yvonne Sanchez, Canutillo Independent School District Board Member, was present and noted that the Canutillo Independent School District had been unable to keep pace with the tremendous recent growth in the area.

Mr. Jim Maxfield, citizen, was present and expressed his concerns regarding the proposed zoning change request.

Ms. Beth Keats, citizen, was present and expressed her concerns regarding the proposed zoning change request.

Representative Austin stated why she would recommend an R-3A zoning change request. She then moved to approve the zoning change request and to grant the appeal. Representative Lozano seconded. The votes were as follows:  
Ayes: Representatives Austin, Lozano, and Rojas  
Nays: Representatives Cushing, Cook Power, and Escobar

The Motion did not pass.

Representative Cook moved to approve the zoning change request from R-F (Ranch-Farm) to R-2A (Residential). Representative Power seconded.

Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to postpone the matter one (1) week.

Motion made by Representative Cook, seconded by Representative Austin and unanimously carried to recess City Council meeting for five minutes at 12:24 p.m.

Motion made by Representative Cook, seconded and unanimously carried to reconvene City Council meeting at 12:32 p.m.

## ORDINANCE 15472

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING ORDINANCE 8065, CIVIL SERVICE RULES AND REGULATIONS, RULE 15, SUSPENSION, REDUCTION AND DISCHARGE, SECTION 2, DISMISSAL NOTICE, TO ADD THAT NOTICE BE REQUIRED FOR SUSPENSIONS AND REDUCTIONS AND TO PROVIDE ADDITIONAL RIGHTS TO PERMANENT CIVIL SERVICE EMPLOYEES.**

The City Clerk called for public comment. There was no public comment.

Motion duly made by Representative Cushing, seconded by Representative Power, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

**AYES:** Council Members Austin, Cushing, Cook, Power, and Rojas

**NAYS:** None                      **Absent:** Council Member Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

**Representatives Lozano and Escobar were not present for the vote.**

## ORDINANCE 15473

The City Clerk read an Ordinance entitled: **AN ORDINANCE VACATING A TEN-FOOT (10') UTILITY EASEMENT LOCATED WITHIN A PORTION OF LOT 8, BLOCK 25, COOPERSTOWN SUBDIVISION UNIT 2, CITY OF EL PASO, EL PASO COUNTY, TEXAS (HWY 54/SEAN HAGGERTY DRIVE).**

**The City Clerk called for public comment. There was no public comment.**

Motion duly made by Representative Austin, seconded by Representative Cushing, that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

**AYES:** Council Members Austin, Cushing, Lozano, Cook, Power, and Rojas

**NAYS:** None                      **Absent:** Council Member Cobos

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted. Representative Escobar was not present for the vote.

\*Motion made, seconded and unanimously carried to postpone two (2) weeks an Ordinance vacating a portion of a dedicated alley within Block G, Montoya Townsite Supplementary Map No. 2, El Paso, El Paso County, Texas.

.....  
\*Motion made, seconded and unanimously carried to postpone two (2) weeks a public hearing to determine if the property located at 9498 Montwood Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Christopherson Construction, Inc., 6406 Needham Lane, Austin, Texas 78739-1511, has been notified of the violations at this property.

.....  
ORDER

WHEREAS, after providing due notice to the Owner of the hereinafter described property, the City Council of the City of El Paso conducted a Public Hearing on April 22<sup>nd</sup>, 2003, regarding the property located at 6226 Escondido Drive, more particularly described as:

Lot: Two portions of Lot 1, Block 1, Balcones Coronado, El Paso County, Texas, according to the Map thereof on File in Book 63, Page 12, Plat Records of El Paso County, Texas

and found that the Building located on said property is substandard; unfit for habitation or use, and a hazard to public health, safety and welfare; and that the Building is not in substantial compliance with the Municipal Ordinances, and that the Building can be repaired; and

WHEREAS, having found that the Building is not in substantial compliance with the Municipal Ordinances, the City Council ORDERED the Owner of said property to demolish the Building and remove all weeds, trash and debris, within 30 days of adoption of the Resolution dated April 22<sup>nd</sup>, 2003, that is on or before May 22<sup>nd</sup>, 2003.

WHEREAS, the City Council ORDERED the Owner of said property to appear before City Council on June 24<sup>th</sup>, 2003, for a Public Hearing to determine whether the Council Order has been complied with and to determine penalties if the Council Order has not been complied with:

WHEREAS, no one appeared.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the City Council, having heard the evidence, makes the following findings:
  - a. That the Owner of said property, Andrew Castillo, Jr., 215 Mulberry Avenue Apt. D, El Paso, Texas 79932, was notified of the requirements of Section 18.52.040 and of his need to comply with these requirements as they relate to their property; and
  - b. That after notification, the Owner committed an act in violation of Section 18.52.040 or failed to take an action necessary for compliance with 18.52.040, specifically; the Owner failed to demolish the Building, and clean the premises of all weeds, trash and debris within 30 days after April 22<sup>nd</sup>, 2003 that is, on or before May 21<sup>st</sup>, 2003; and
  - c. That the Owner has failed to comply with the Order each day from May 22<sup>nd</sup>, 2003 through June 24<sup>th</sup>, 2003, a total of 33 days; and
  - d. That the property which is subject to the Order is not the Owner's homestead; and

- e. That the City Council can assess a civil penalty against the Owner in an amount not to exceed \$1,000.00 a day for each violation, a total of \$33,000.00.

NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the Owner is hereby assessed the following civil penalties: \$250.00 a day for each of the 33 days during which the City Council Order of April 22<sup>nd</sup>, 2003 was not complied with; for a total of \$8,250.00.
2. That the City Clerk file a certified copy of this Order with the District Clerk of the County of El Paso; and
3. That the Owner is hereby placed on notice that continuing failure to comply with the City Council's Order to secure the Building and clean the premises of all weeds, trash, and debris may result in additional penalties.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Representatives Cushing, Austin, Power, Lozano, and Rojas asked questions pertaining to the property. Mr. Maguire provided answers for Representatives.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Austin, seconded by Representative Power and carried to approve the Department's recommendations.

Representative Lozano voted Nay. Representative Escobar was not present for the vote.

.....  
\*Motion made, seconded and unanimously carried to delete a public hearing to determine if the property located at 8167 La Paloma Circle, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, David P. Garman & Janey Garman, 8167 La Paloma Circle, El Paso, Texas 79907, have been notified of the violations at this property.

.....  
\*Motion made, seconded and unanimously carried to postpone one (1) week a public hearing to determine if the property located at 7105 Orange Tree Lane, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Frances W. Montalvo, 7105 Orange Tree Lane, El Paso, Texas 79915, has been notified of the violations at this property. Delinquent taxes in the amount of \$952.52.

.....  
Motion made by Representative Rojas, seconded by Representative Cook and carried to postpone one (1) week a public hearing to determine if the property located at 8126 Lowd Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Joaquina Castillo, 8116 Algerita Court, El Paso, Texas 79915-4604, has been notified of the violations at this property. Delinquent taxes in the amount of \$1,332.47.

AYE:	Representatives Cushing, Lozano, Cook, Rojas
NAY:	Representatives Austin and Power
NOT PRESENT:	Representative Escobar
EXCUSED:	Representative Cobos



Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Representatives Rojas and Cushing asked questions pertaining to the property.

Mr. Maguire responded to questions of Representatives.

The City Clerk called for public comment. There was no public comment.

.....  
RESOLUTION

WHEREAS, the Director for Building Permits and Inspections and the Fire Marshal of the City of El Paso have conducted an investigation and have reported to the City Council in writing that they are of the opinion that the structure located on the property at 164 Rio Monte Street, in El Paso, Texas, which property is more particularly described as follows:

Tract: A portion of Tract 20, R. L. Dorbandt's Subdivision, an Addition to the City of El Paso, El Paso County, Texas, according to the Map thereof on File in Book 9, Page 27, Plat Records of El Paso County, Texas

is dilapidated, substandard, and unfit for human habitation; is a hazard to public health, safety, and welfare; does not meet the minimum standards for continued use and occupancy contained in Titles 17 and 18 of the Municipal Code which are adopted and incorporated by reference into Section 18.52; and

WHEREAS, Robert L. Meyer, 2108 Whitcomb Street, El Paso, Texas 79925, record Owner, and all mortgages and lienholders were duly notified according to law to appear at a public hearing before City Council at 9:00 a.m. on June 24<sup>th</sup>, 2003; and

WHEREAS, THE OWNER, APPEARED,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That City Council having heard the evidence, makes the following findings:
  - a. That the main structure and accessory building located on said property is condemned as substandard, unfit for human habitation or use, and therefore a hazard to the public health, safety, and welfare; and
  - b. That the buildings are not in substantial compliance with municipal ordinances regulating fire protection, structural integrity, and disposal of refuse; and
  - c. The structure's certificate of occupancy is hereby revoked; and
  - d. Since the owner has failed to supply any drawings, plans, or reports to indicate otherwise, we find that the structure cannot be repaired.
2. That the City Council hereby orders Owner to comply with the following requirements:
  - a. That the owner be given 30 days to submit an engineer's report and recommendation, a complete set of plans, and obtain a permit; and
  - b. That the owner be given 90 days from the date of Council to complete the structure as per the approved plans.
  - c. That the premises be cleaned of all weeds, trash and debris within (30) days; and

- d. That a public hearing be scheduled for January 6<sup>th</sup>, 2004, in the City Council Chambers, to determine if the Council order has been complied with and, if not, to determine penalties; and
  - e. That the Owner of said Building is hereby ordered to comply with all requirements of the Resolution; and
  - f. The owner is advised that in order to obtain a new certificate of occupancy, the entire building and its service systems must be brought into compliance with the current codes.
  - g. That upon failure of the Owner to comply with this Resolution, any mortgagees, lienholder, and other persons having an interest in the property have an additional ten (10) days to demolish the Building and clean the premises of all weeds, trash, and debris; and
3. That upon failure of the Owner to comply with this Order, the City of El Paso through its Director for Building Permits and Inspections shall demolish the Building and clean the premises of all weeds, trash, and debris at its own expense, but for and on account of the Owner of said property; and
  4. That said Owner shall become personally liable for all costs incurred by City in connection with demolishing the Building and cleaning the premises of all weeds, trash and debris; and
  5. That the costs incurred by the City in connection with the cleaning the premises of all weeds, trash, and debris shall become due and payable within thirty (30) days of the date of completion of the work and such cost shall be assessed as a lien against the property unless paid; and
  6. That upon failure of the Owner to comply with this Order, one or all of the following actions will be taken:
    - a. The City will perform any and all work needed to bring the property into compliance with this order, at its own expense but for and on account of the Owner of said property, the cost of which shall be assessed as a lien against the property; and
    - b. That upon failure of the Owner to comply with this order the City Council may assess a civil penalty against the property Owner in an amount not to exceed \$1,000.00 a day for each violation or, if the Owner shows that the property is the Owner's lawful homestead, in an amount not to exceed ten (10) dollars a day for each violation; and
    - c. That upon failure of the Owner to comply with this order, the Owner may be confined in jail as permitted by state law; and
  7. That upon failure of the Owner, any mortgages or lienholders to restore the Building so that it complies with all relevant City Code requirements, the City of El Paso, if applicable, may bring an action in District Court to request appointment of a receiver for the rehabilitation of said property pursuant to Section 214.003 of the Texas Local Government Code; and
  8. The Owner, any mortgagees, or lienholders have a right to appeal these findings to a court of competent jurisdiction within ten (10) days after notice of this Resolution. The findings shall become final after ten (10) days of receipt of Notice; and
  9. That any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of assessment until paid in full; and
  10. That the City Clerk is ordered to cause copies of this Resolution to be served on the record Owner and all other persons having interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

Mr. Ronald L. Meyer, property owner, was presented and commented on the property.

Representative Lozano asked questions pertaining to the property at 164 Rio Monte Street.

The City Clerk called for public comment. There was no public comment.

Motion made by Representative Lozano, seconded by Representative Cook and unanimously carried to accept the Department's recommendations.

Representatives Austin and Cushing abstained from the vote.  
Representatives Power and Escobar were not present for the vote.  
Representatives Lozano, Cook and Rojas voted Aye.  
Representative Cobos was absent.

.....  
Motion made by Representative Rojas, seconded by Representative Lozano and unanimously carried to postpone one (1) week a public hearing to determine if the property located at 7358 Mimosa Avenue, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Julia J. Amaya, 7358 Mimosa Avenue, El Paso, Texas 79915, has been notified of the violations at this property. Delinquent taxes in the amount of \$3,658.75.

Mr. Thomas Maguire, Building Permits & Inspections Department, presented case to Council Members and gave the department's recommendation(s).

The City Clerk called for public comment. There was no public comment.

Representative Rojas requested one- week postponement. Representative Lozano seconded.

.....  
\*Motion made, seconded and unanimously carried to postpone one (1) week a public hearing to determine if the property located at 8821 Harding Way, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Amparo R. Munoz, 8821 Harding Way, El Paso, Texas 79907, has been notified of the violations at this property.

.....  
No action was taken on the discussion and action on status of paving of Edgemere Blvd. in front of Bill Sybert Elementary School.

Representative Power explained that Edgemere Boulevard in front of Bill Sybert Elementary School had not been paved as the City of El Paso had not acquired the right-of-way and requested a status report from Ms. Patricia Adaauto, Deputy CAO for Building and Planning Services.

Ms. Adaauto provided explanation regarding acquisition for rights-of-way and budgetary issues for Representative Power.

Representative Power questioned the accounting policies and procedures.

Mr. Bill Chapman, Deputy CAO of Financial and Administrative Services/Chief Financial Officer, provided explanation for Representative Power.

Representative Power instructed that the official record note that this project is a priority issue for him.

.....  
Motion made by Representative Cook, seconded by Representative Cushing and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- 25A.** An Ordinance amending Ordinance 8064 (The Classification and Compensation Plan) to revise the Class of **CAPITAL IMPROVEMENTS PROGRAM ADMINISTRATOR**.
- 25B.** An Ordinance amending Ordinance 8064 (the classification and compensation plan) to revise the class of **PLUMBING INSPECTOR**.

**PUBLIC HEARING WILL BE HELD ON JULY 8, 2003 FOR ITEMS A – B**

- 25C.** An Ordinance granting Special Permit No. SU-03013 to allow for a parking reduction on the property described as Lots 33, 34 and 8.80 Feet of Lot 35, Block 13, SUMMIT PLACE, El Paso, El Paso County, Texas (4100 Piedras), pursuant to Section 20.64.175. The penalty is as provided in Chapter 20.68 of the El Paso Municipal Code. ZONE: C-2 (Commercial). Applicant/Representative: Amador Ruvalcaba, 2704 Taylor, El Paso, TX 79930.
- 25D.** An Ordinance changing the zoning of Lot 1, Block 2, LYDIA DIXON SUBDIVISION, El Paso, El Paso County, Texas (southwest corner of Zaragoza Road & Pence Road) from R-4 (Residential) to C-1 (Commercial) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZC-03025. Applicant: Dr. Francisco Vargas / Representative: Luis de la Cruz, 9013 Lait, El Paso, TX 79925.
- 25E.** An Ordinance changing the zoning of Lots 7-10, and the North ½ of Lot 6, Block 45, ALEXANDER ADDITION, El Paso, El Paso County, Texas (southwest corner of Crosby St. & Stanton St.) from A-3 (Apartment) to S-D (Special Development) on Parcel 1, and from A-3 (Apartment) to A-O (Apartment-Office) on Parcel 2. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. ZC-03026. Applicant: Gloria Chavez & Mayela Haydar / Representative: Luis de la Cruz, 9013 Lait, El Paso, TX 79925.
- 25F.** An Ordinance changing the zoning of Tracts 4D1B1, 4D1B & 4D1B2E, Section 29, Block 81, TSP1, TEXAS & PACIFIC RAILROAD COMPANY SURVEYS, El Paso, El Paso County, Texas (10039 Dyer) from C-1 (Commercial) to C-3 (Commercial). The penalty is as provided in Section 20.68.010 of the El Paso Municipal Code. ZC-03027. Applicant: Armstrong Interests / Representative: Brock & Bustillos, Inc., 417 Executive Center Blvd., El Paso, TX 79902.

**PUBLIC HEARING WILL BE HELD ON JULY 15, 2003 FOR ITEMS C – F**

Public Hearings will be held as part of the regular City Council meeting, which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....

**ADDITION TO THE AGENDA**

Motion made, seconded and unanimously carried to postpone one (1) week appointing Council Representatives Anthony Cobos and Daniel S. Power as members of the Transportation Policy Board from the City of El Paso, Texas, for the Metropolitan Planning Organization, for the El Paso Urban Transportation Study Area.

.....  
\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application for a COPS Grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, in the amount of \$100,000.00 for a Managing Local Evaluations: A Guide for Law Enforcement Project to hire consultant services to research, develop, publish and implement a community policing services guide for the Police Department. No matching funds are required.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and submit a grant application for a COPS Grant from the U.S. Department of Justice, Office of Community Oriented Policing Services, in the amount of \$50,000.00 for a Volunteers in Police Service Project to hire a full time administrative assistant to assist with the recruitment and retention of the services of volunteers who assist the Police Department and to pay for related training and supplies. No matching funds are required.

NOTE: Resolution was revised to note "\$50,000.00" for a Volunteers in Police Service Project" . . .

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Motion made by Representative Lozano, seconded by Representative Escobar and carried to move to the forefront the following Resolution. Representative Cook voted Nay.

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Human Resources Department be authorized to submit a grant application to the Federal Mediation and Conciliation Service (FMCS) for a grant of \$125,000.00. If the City is awarded the grant, the funds will be used to create a labor and management committee for uniformed Police and Fire Departments to promote improved communications between labor and management.

Representative Austin noted that the City of El Paso would be required to provide a 10% cash match.

Mr. Frank Delgado, President of the El Paso City Employees Association, explained that many City employees jobs require them to work "out in the field"; therefore prohibiting them immediate access to computers. He stated that monies from the Information Technology Department would be utilized to install additional computers in Police substations and Fire Stations in order that those employees have access to computers. He thanked many City employees for their participation in the grant writing process.

Ms. Lupe Cuellar, Assistant City Attorney, noted that a Labor Management Committee would be created as per grant requirements.

Ms. Terry A. Bond, Human Resources Director, made additional comments pertaining to the FMCS grant.

Motion made by Representative Cook, seconded by Representative Power and unanimously carried to approve the above Resolution.

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No action was taken on the discussion and action on safeguards to ensure the legal integrity of oral communications, telephonic communications and electronic data communications of members of City Council, wherein members of the public are legally entitled to an expectation of privacy in all communications with their elected representatives, without fear of surreptitious interception and disclosure of same, either in private or public forums.

Representative Cushing explained his reasoning for placing the item on the agenda.

Mr. Lance Ruck, citizen, questioned whether or not City Representative's electronic and telephonic communications were monitored and suggested that an individual within the Information Technology Department be appointed to monitor Representative's electronic communication(s).

Representative Cook noted that the telephonic system within City Hall was secure and suggested that individuals wishing to contact their representatives do so by telephone prior to sending electronic messages.

Mr. Charlie McNabb, Chief Administrative Officer, noted that the Information Technology Department has the capacity to read email, with the exception of City Representatives email as per a settlement reached between a previous Mayor and Council Member. He did note that in the event of an Open Records Request the Representatives emails would be opened and read.

Representative Cook expressed that utilizing electronic mail would greatly assist the "freshman" Council Members in answering their questions pertaining to City Council agenda items prior to the scheduled Pre-Council meetings on Mondays.

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Motion made by Representative Lozano, seconded by Representative Escobar and carried to move to the forefront:

Discussion, review and action concerning what impact, if any, the provisions, implementation and execution of Article VI of the City Charter, Section 6.6.5, in the manner as is being currently utilized under present and past existing practices, has had with respect to known and future shortfalls in the Pension Plan for City Employees, not limited to actuarial assumptions and growth of the fund.. Representative Cook voted Nay.

No action was taken on the discussion, review and action concerning what impact, if any, the provisions, implementation and execution of Article VI of the City Charter, Section 6.6.5, in the manner as is being currently utilized under present and past existing practices, has had with respect to known and future shortfalls in the Pension Plan for City Employees, not limited to actuarial assumptions and growth of the fund.

Representative Cushing commented that the City Employees Pension Fund noted a significant shortfall and questioned whether or not the shortfall was due to contract employees' involvement in same pension fund. He requested City staff investigate all aspects of the pension fund in order to prevent future shortfalls. He requested Ms. Terry A. Bond, Human Resources Director, provide a list of full time contract employees currently participating in the pension fund.

Ms. Bond noted that contract employees are given the choice to participate in the City Employees Pension Fund or not at the time of their hiring.

Motion made by Representative Lozano, seconded by Representative Escobar and carried to move to the forefront:

Discussion, review and action concerning what impact, if any, the provisions, implementation and execution of Article VI of the City Charter, Section 6.6.5, in the manner as is being currently utilized under present and past existing practices, has had with respect to known and future shortfalls in the Pension Plan for City Employees, not limited to actuarial assumptions and growth of the fund.. Representative Cook voted Nay.

No action was taken on the discussion, review and action concerning what impact, if any, the provisions, implementation and execution of Article VI of the City Charter, Section 6.6.5, in the manner as is being currently utilized under present and past existing practices, has had with respect to known and future shortfalls in the Pension Plan for City Employees, not limited to actuarial assumptions and growth of the fund.

Representative Cushing commented that the City Employees Pension Fund noted a significant shortfall and questioned whether or not the shortfall was due to contract employees' involvement in same pension fund. He requested City staff investigate all aspects of the pension fund in order to prevent future shortfalls. He requested Ms. Terry A. Bond, Human Resources Director, provide a list of full time contract employees currently participating in the pension fund.

Ms. Bond noted that contract employees are given the choice to participate in the City Employees Pension Fund or not at the time of their hiring.

Representative Escobar stated that the City Employee Pension Fund was not insolvent and requested that Representative Cushing speak with Mr. Robert Ash, Pensions Administrator, for further clarification. He explained that the decline in the stock market had impacted all pension funds. He added that for further information the matter be placed on the next Pension Administration Agenda.

Ms. Lisa Turner, citizen, clarified that the deficit in the City Employee Pension Fund was not a fault of the City of El Paso's responsibility but a fault of the stock market.

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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss and take action on any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

- A. Discussion and action on the following: Rehabilitation loan accounts. (551.071)
- B. Discussion, action and review of the information available and presented for the action of City Council at the June 17, 2003 regular City Council meeting in Executive Session with respect to posting, advice, and counsel concerning actions taken involving Texas Commission on Environmental Quality (TCEQ) Permit Application No. MSW-22999. (551.071)

Motion made by Representative Escobar, seconded by Representative Cook and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

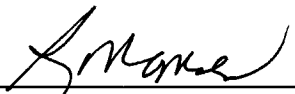
Motion made by Representative Escobar, seconded by Representative Cook and carried that the City Attorney's Office be authorized to prepare the necessary documents for re-structuring of rehabilitation loan accounts, as recommended by the City Attorney and the Department of Community and Human Development; and that the Mayor be authorized to sign any and all related documents as appropriate.

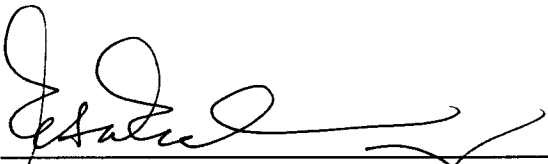
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Motion made by Representative Cook, seconded by Representative Escobar and unanimously carried to adjourn this meeting at 2:29 p.m.  
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APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

  
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Richarda Duffy Momsen, City Clerk

  
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Rita Rodriguez, City Attorney